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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

ABDUL NEVAREZ and PRISCILLA
 NEVAREZ,

Plaintiffs,

v.

FORTY NINERS FOOTBALL COMPANY,
 LLC, a Delaware limited liability company,
 et. al.,

Defendants.

CASE NO.: 5:16-cv-07013-LHK

**STIPULATION REGARDING
 BRIEFING SCHEDULE ON
 DEFENDANTS' MOTIONS TO
 DISMISS;**

**DECLARATION OF GUY B.
 WALLACE IN SUPPORT THEREOF**

1 **WHEREAS**, on December 30, 2016, Plaintiffs Abdul Nevarez and Priscilla Nevarez filed
2 their First Amended Complaint in the above-captioned matter, and named as Defendants the Forty
3 Niners Football Company, LLC, a Delaware limited liability company; Forty Niners SC Stadium
4 Company, LLC, a Delaware limited liability company; the National Football League; City of Santa
5 Clara; Santa Clara Stadium Authority; Ticketmaster Entertainment, Inc.; Forty Niners Stadium
6 Management Company LLC; and Does 1-10, Inclusive;

7 **WHEREAS**, on February 7, 2017, Defendant National Football League filed its Notice of
8 Motion and Motion to Dismiss;

9 **WHEREAS**, on February 7, 2017, Forty Niners Football Company LLC, Forty Niners SC
10 Stadium Company LLC, and Forty Niners Stadium Management LLC filed their Notice of Motion
11 and Motion to Dismiss;

12 **WHEREAS**, on February 7, 2017, Defendants City of Santa Clara and Santa Clara Stadium
13 Authority filed their Notice of Motion and Motion to Dismiss;

14 **WHEREAS**, on February 15, 2017, the firm of Schneider Wallace Cottrell Konecky
15 Wotkyns (“Schneider Wallace”) agreed to serve as additional counsel for Plaintiffs in the above-
16 captioned matter;

17 **WHEREAS**, Guy B. Wallace of the Schneider Wallace firm will take the lead in opposing
18 Defendants’ various motions, and requires additional time to analyze Defendants’ motions and the
19 authorities cited therein;

20 **WHEREAS**, the parties have agreed to meet and confer regarding the arguments and
21 authorities raised in Defendants’ three pending motions so as to determine if they any have areas of
22 agreement that would narrow any issues to be decided by this Court regarding the pleadings;

23 **WHEREAS**, Defendants’ motions are set to be heard by this Court on May 4, 2017, and
24 Plaintiffs’ opposition papers are presently due on February 21, 2017, but the parties have agreed that
25 Plaintiffs need more time for the reasons set forth above, and Defendants require two weeks to
26 prepare their reply papers regarding their motions to dismiss;

4 2. Defendants shall file their replies in support of its Motions to Dismiss on or before
5 April 6, 2017;

6 The e-filing attorney hereby attests that he retains on file all holographic signatures
7 corresponding to any signatures indicated by a conformed signature (/S/) within this e-filed
8 document.

9 IT IS SO STIPULATED.

DATED: February 17, 2017

LOMBARDI, LOPER & CONANT, LLP

By: /s/ Maria M. Lampasona
Maria M. Lampasona
Attorneys for Defendants

14 DATED: February 17, 2017

SCHNEIDER WALLACE
COTTRELL KONECKY
WOTKYNs LLP

By: /s/ Guy B. Wallace
Guy B. Wallace
Attorneys for Plaintiffs

PURSUANT TO STIPULATION, IT IS SO ORDERED.

22 DATED: February 21, 2017

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By: Lucy H. Koh
Lucy H. Koh
United States District Judge

DECLARATION OF GUY B. WALLACE

I, Guy B. Wallace, hereby declare as follows:

1. I am a partner at the law firm of Schneider Wallace Cottrell Konecky LLP (“Schneider Wallace”), and am admitted to practice before this Court. I submit this Declaration in support of the parties’ Stipulation Regarding Briefing Schedule. I make this Declaration on personal knowledge and, if called as a witness, could and would testify competently to such facts under oath.

2. I hereby state that the parties agree that enlargement of time is justified here because the Schneider Wallace firm has only recently agreed on February 15, 2017 to serve as additional counsel for Plaintiffs in the above-captioned matter. The additional time requested will provide Plaintiffs sufficient time to review and respond to the arguments raised in Defendants’ three pending motions to dismiss. The Schneider Wallace firm anticipates that it will have primary responsibility for opposing Defendants’ motions.

3. It is my understanding based on my firm’s review of the record herein that there have not been any previous modifications to the schedule in this case by stipulation.

4. I hereby state that the parties agree that this requested time modification should have no deleterious effect on the schedule for the case, given that this case is in the early stages of litigation.

5. Moreover, there is good cause to allow Plaintiffs and Defendants the additional time requested. As state above, the additional time will permit Plaintiffs’ new counsel to analyze Defendants’ motions and to meet and confer with Defendants regarding any potential areas of agreement that can be addressed by the filing of an amended pleading, thus narrowing the issues to be decided by this Court in connection with Defendants’ pending motions to dismiss.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on February 17, 2017 in Emeryville, California.

By: /s/ Guy B. Wallace
Guy B. Wallace
Attorneys for Plaintiffs

SIGNATORY ATTESTATION

The e-filing attorney hereby attests that concurrence in the content of the foregoing document and authorization to file the foregoing document has been obtained from the other signatory indicated by a conformed signature (/s/) within the foregoing e-filed document.

Dated: February 17, 2017

/s/ Guy B. Wallace

Guy B. Wallace

CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing document with the Clerk of the Court for the United States District Court, Northern District of California, by using the Court's CM/ECF system on February 17, 2017.

I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the Court's CM/ECF system.

Date: February 17, 2017

Respectfully Submitted,

/s/ Guy B. Wallace

Guy B. Wallace (SBN 176151)

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